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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,567	06/02/2006	Jean-Marie Vau	87173/KNM	5516

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EASTMAN KODAK COMPANY
PATENT LEGAL STAFF
343 STATE STREET
ROCHESTER, NY 14650-2201

EXAMINER	
SARWAR, BABAR	

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/581,567	VAU ET AL.	
	Examiner	Art Unit	
	BABAR SARWAR	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 June 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 June 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Pande et al. (US 2006/0111143 A1), hereinafter referenced as Pande.

Consider **claim 1,** Pande discloses a method (figs. 5-7) for adding characterization data linked to an image (Abstract), using a mobile (102) terminal including a means of digital image capture (202) and other means of linking and saving digital data capable of communicating with the image capture means (212, 210, 204), the method being implemented in a communication network (fig. 1) with coverage by cells (104, 106, 108), a cell ID (i.e. location data) being automatically linked to each cell (Abstract, Para 0015, figs. 1-7, where Pande discloses Cell IDs, and enhanced Cell IDs, and determining cell site characteristics). Pande further teaches that the method comprises the following steps: a) automatically saving (Para 0035, elements 204, 210 controller, and memory), in the mobile terminal, the cell ID of the network which contains the geographic location where the capture of at least one image was performed using the mobile terminal (Para 0038, 0039, fig. 5); b) Automatically linking the cell ID

containing the geographic location of the image capture with a characterization identifier linked to the image capture entered using the terminal, to form a pair of these IDs (Abstract, Para 0040, 0045, 0051-0052, fig. 5, where Pande teaches tagging the image and determining the characteristics of the cell site); c) Automatically saving, in the mobile terminal, the ID pair formed in the step b) (Para 0035, elements 204, 210 controller, and memory).

Consider **claim 2,** Pande teaches everything claimed as implemented above (see claim 1). In addition, Pande teaches that the forming of the ID pair is performed by automatically linking the respective IDs of at least two cells of a cell area, with a unique characterization identifier linked to the capture of at least one image performed in the at least two cells of the cell area (Abstract, Para 0029, 0030, 0035, 0045, 0051-0052, figs. 1 elements 104, 106, 108, and fig. 5, where Pande discloses that cells have various configurations).

Consider **claim 3,** Pande teaches everything claimed as implemented above (see claim 1). In addition, Pande teaches that during an image capture automatically comparing the cell ID containing the geographic location of the image capture with the ID pairs saved in the mobile terminal (Para 0035, elements 204, 210 controller, and memory); and automatically linking the cell ID containing the geographic location of the image capture with the characterization identifier linked to the corresponding image capture (Abstract, Para 0038-0039, 0045, 0051-0052, fig. 5, where Pande teaches tagging the image and determining the characteristics of the cell site), the pair formed by said cell ID containing the geographic location of the image capture and the

characterization identifier linked to the image capture being already saved in the mobile terminal (Para 0035, elements 204, 210 controller, and memory).

Consider **claim 4**, Pande teaches everything claimed as implemented above (see claim 1). In addition, Pande teaches that during an image capture with the first terminal, the following steps: automatically detecting at least one second mobile terminal placed in an environment close to the geographic location where the image capture is performed with the first terminal; automatically sending, from the first terminal to the at least one second surrounding mobile terminal detected, a request containing the cell ID containing the geographic location of the image capture; automatically comparing, in each at least one second surrounding terminal, the cell ID containing the geographic location of the image capture received in the request sent by the first terminal with the ID pairs saved in the second terminal; automatically sending to the first terminal the characterization identifier linked to the cell ID containing the geographic location of the image capture received in the request sent by the first terminal; automatically linking the cell ID containing the geographic location of the image capture with the characterization identifier linked to the image capture sent to form a pair of these IDs; automatically saving, in the first terminal, the ID pair formed in the previous step (Abstract, Para 0035, elements 204, 210 controller, and memory, Para 0017, 0038-0039, 0040, 0045, 0049, 0051-0052, fig. 1-5, where Pande teaches tagging the image and determining the characteristics of the cell site, transmitting the image through the network to another mobile device).

Consider **claim 5,** Pande teaches everything claimed as implemented above (see claim 1). In addition, Pande teaches that the cell ID containing the geographic location of the image capture includes at least one character formed by a digit or an alphabetical letter (Abstract, Para 0015, 0038, and 0039, and fig. 2 element 208 input unit, where Pande discloses tagging an image).

Consider **claim 6,** Pande teaches everything claimed as implemented above (see claim 1). In addition, Pande teaches that a mobile terminal comprises a digital image capture means and data linking and saving means (figs. 1-7)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BABAR SARWAR whose telephone number is (571)270-5584. The examiner can normally be reached on MONDAY TO FRIDAY 09:30 A.M -05:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NICK CORSARO can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B. S./

/BABAR SARWAR/
Examiner, Art Unit 2617

/NICK CORSARO/
Supervisory Patent Examiner, Art Unit 2617